IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.3163 OF 2003

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri V.B.Rajure for the Petitioners.

Shri R.V.More for the Respondents Nos.1 & 2.

CORAM : ABHAY S.OKA, J.

DATED : 16th Oct., 2004.

P.C.:

1. Heard learned Counsel appearing for the parties. By this petition under Article 227 of the Constitution of India, the Petitioners/original Defendants have challenged the judgment and order dated 29th September 2001 passed by the District Court in Appeal preferred by the Respondent/ Plaintiff. By the said order, the application for temporary injunction filed by the Respondent has been allowed.

2. I find from the record that the order of injunction is operating from 29th September 2001 and the operation of the said order is not stayed by this Court. Thus the impugned order of temporary injunction is operating for last more

than three years.

3. After having heard the learned Counsel appearing for the parties and after going through the impugned Judgment and Order, I am satisfied that there is no perversity in the impugned Judgment and Order.

4. Writ Petition is, therefore, rejected with no order as to costs.

5. The trial Court is directed to hear and decide the suit as expeditiously as possible and in any event on or before 31st October 2005. It is obvious that the trial Court will decide the suit without being influenced by the impugned Judgment and order and the order passed by this Court.

Judge.